

REMARKS

Claim 11 is rejected under Section 102 based on the patent to Johnson. However, claim 1 calls for a phase change material that fills less of the pore than the electrode. The office action suggests that this is the case in the cited reference, but it does not appear to be so.

In particular, in Figure 22, the phase change material is item 720, according to the Examiner, and the electrode is 690 and 680. The layer 680 is "less than 2000 Angstroms thick" and the layer 690 is "less than 2000 Angstroms thick." See column 10, lines 32-40.

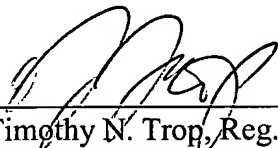
Then, at page 11, lines 10-14, it is indicated that at the stage, shown in Figure 19, the structure is only 2000 Angstroms over the entire substrate 630. Thus, presumably, the layers 680 and 690 must be substantially less than 2000 Angstroms. Thus, there does not appear to be enough information given to precisely determine the size of the structure 720 or the structures 680 and 690. But, in any case, it is seen that the structure 720 deposition is much thicker than the combined thickness of the layers 670 and 680. Thus, it would appear that the structure 720 fills more of the pore than the electrode, not less, as required.

In view of these remarks, reconsideration is respectfully requested.

On the same basis, the other claims should patentably distinguish over the cited Johnson reference.

Respectfully submitted,

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